U.S. Department of Energy
Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: ED-FO TAD LAKE TEMPORARY RE-ROUTE

Program or Field Office: North Dakota Maintenance Office

Location(s) (City/County/State): North Dakota

Proposed Action Description:
The project includes WAPA temporarily re-routing a section of its Edgeley to Forman 69 kV transmission line that collapsed into TAD lake along the Dickey County Highway 3. The downed structures are ED-FO 34/6 and 34/7 . The temporary re-route will be on Dickey county road ROW by South of Dickey County Highway 3.

Environmental Requirements:
1.) Bird flight diverters will be installed along the entire reroute segment, due to the proximity to wetlands, which are often used by migratory birds and waterfowl. Diverters will increase visibility & reduce collisions. 2.) Avoid all construction activities during the primary nesting season and eagle nesting season - February 1 to August 31. If the start of construction must take place between February 1 and August 31, a WAPA biologist should be contacted at least 2 weeks prior to the start of construction to identify any potential avoidance areas such as active eagle nests. 3.) Avoid removal of woody vegetation from May 1 to October 1 during the construction project. If woody vegetation must be removed between May 1 and October 1, a WAPA biologist will be contacted at least 2 weeks prior to the start of removal to identify any potential avoidance areas such as active bat hibernacula or bird nests. No major woody habitat removal is currently planned. 4.) No structures will be placed in water resources, nor will WAPA excavate, fill, or otherwise alter/modify the course, location, condition, or capacity of water resources. 5.) If, during the course of any ground disturbance related to the project, any bone, artifacts, foundations, or other indications of past human occupation of the area are encountered, the project will immediately be stopped within 100' of the discovery and a UGP archaeologist will be notified immediately at 605-354-4844 or 406-672-9433.

Categorical Exclusion(s) Applied:
B4.12 - Construction of powerlines

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

☑ The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

☑ There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

☑ The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: John D. Russell Digitally signed by John D. Russell Date: 2023.01.06 08:54:44 -07'00' Date Determined: 01/06/2023